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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Michael A. Williamson Art Unit: 1616

Re: Application of: Chih-Ming CHEN, et al.

Serial No.: 09/435,576

Filed: November 8, 1999

For: **HMG-COA REDUCTASE INHIBITOR
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RESPONSE UNDER 37 C.F.R. §1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

December 18, 2002

Sir:

In response to the Office Action dated June 18, 2002, Applicants request entry of the following remarks:

REMARKS

Prior to addressing the current Office Action, Applicants acknowledge with appreciation the Examiner's withdrawal of the previous rejection of claims 1-75 under 35 U.S.C. § 103 over Monaghan et al. (U.S. Patent 4,231,938) in view of Oshlack et al. (U.S. Patent 5,324,351 or 5,472,712) in view of Applicants' arguments. Applicants also acknowledge with appreciation the Examiner's withdrawal of the previous rejection of claims 1-75 under the judicially created doctrine of obviousness-type double patenting over claims 1-12 of U.S. Patent No. 5,916,595 in view of Applicants submission of a Terminal Disclaimer.

Currently, claims 1-75 are pending. Reconsideration of the application is respectfully requested.